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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DENNIS MONTGOMERY,

11 Plaintiff,

12 v.

13 JAMES RISEN, et al.,

14 Defendants.

CASE NO. C15-1955JLR

MINUTE ORDER

15 The following minute order is made by the direction of the court, the Honorable
16 James L. Robart:

17 Before the court are Defendants' motion to compel compliance with a subpoena
18 (MTC (Dkt. # 1)), directed at Istvan Andras Burgyan, and Defendants' motion to strike
19 (MTS (Dkt. # 8)). The court ORDERS Defendants and Mr. Burgyan to appear in court at
20 10:00 AM on Wednesday, February 3, 2016, for a hearing on those motions. Plaintiff
21 Dennis Montgomery has also filed briefing in this matter. (*See* MTC Resp. (Dkt. # 4);
22

1 MTS Resp. (Dkt. # 10).) Accordingly, the court ORDERS Mr. Montgomery to appear at
2 the hearing as well.¹

3 Defendants and Mr. Montgomery indicate they served Mr. Burgyan with the
4 motion to compel and related filings by U.S. mail. (*See* MTC at 13; MTC Resp. at 4); *see*
5 *also* Fed. R. Civ. P. 45(d)(2)(B)(i) (requiring that the serving party provide “notice to the
6 commanded person” when moving a local district court for compliance with a subpoena).
7 However, Mr. Burgyan has not yet made an appearance in this action and is not
8 registered for electronic service. (*See generally* Dkt.) The court therefore DIRECTS the
9 Clerk to print a copy of this order and the related briefing (Dkt. ## 1, 4, 5, 6, 8, 10) and to
10 provide those filings to the United States marshal or deputy marshal no later than
11 Thursday, January 21, 2016. The court DIRECTS the marshal to affect service of those
12 documents on Mr. Burgyan by Wednesday, January 27, 2016, or alert the court by that
13 date if the efforts to serve Mr. Burgyan were unsuccessful.

14 Filed and entered this 20th day of January, 2016.

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16 WILLIAM M. MCCOOL
Clerk of Court

17 s/Casey Condon
18 Deputy Clerk

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21 ¹ In consideration of Mr. Montgomery’s pro se status and Florida residence, the court will
22 permit him to appear telephonically. If he chooses to appear telephonically, Mr. Montgomery
must contact the court’s courtroom Deputy Clerk to make arrangements.